

## **MITIGATED NEGATIVE DECLARATION**

February 21, 2008

Project Name: Dotts Subdivision

Project Number(s): TM 5300, AD 06-047, Log No. 02-04-054

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Stormwater Management, Biological Resources, Drainage, Cultural Resources, and Fire Protection

1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

BIOLOGY

- a. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Items" have been indicated on the grading, and or improvement plans:
  1. The grading, and or improvement plans, shall indicate permanent fences or walls along the open space boundary of Lots 1, 2, 3, and 4 as shown on the Open Space Fencing and Signage Plan dated December 27, 2007 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054.
    - (a) The fence or wall shall be a minimum of four feet (4') high and consist of split rail or 3-strand wire. Any change in construction materials and fence or wall design shall be approved by the Department of Planning and Land Use prior to installation.
  2. The grading, and or improvement plans shall indicate open space signs along the open space boundary of Lots 1, 2, 3, and 4 as shown on the Open Space Fencing and Signage Plan dated December 27, 2007 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054.
    - (a) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**"Sensitive Environmental Resources"**  
Disturbance Beyond this Point is Restricted  
by Easement  
Information:  
Contact County of San Diego, Department of Planning and Land  
Use  
Ref: 02-04-054"

- b. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been placed on the grading, and or improvement plans:
1. "Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary. The temporary fencing shall be removed after the conclusion of such activity."
  2. "Restrict all brushing, clearing and/or grading such that none will be allowed within 300 feet of coastal sage scrub and/or southern mixed chaparral habitat during the breeding season of the migratory birds and/or raptors. This is defined as occurring between February 1 and August 31. The Director of Planning and Land Use may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, that no nesting migratory birds and/or raptors are present in the vicinity of the brushing, clearing or grading." **[DPLU, FEE]**
  3. "Prior to the conclusion of grading activities and Final Grading Release, provide evidence to the satisfaction of the Director of Planning and Land Use that the permanent fences or walls, and open space signs have been placed along the biological open space boundary of lots 1, 2, 4 and 4 as shown on these plans and the Open Space Fencing and Signage Plan dated December 27, 2007 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054."**[DPLU, FEE]**
    - (a) Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent walls or fences, and open space signs have been installed.
    - (b) The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

"Sensitive Environmental Resources"  
Disturbance Beyond this Point is Restricted  
by Easement  
Information:

Contact County of San Diego, Department of Planning and Land Use  
Ref: 02-04-054"

- c. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, the applicant shall, grant to the County of San Diego and the California Department of Fish and Game by separate document, an open space easement, or grant to the California Department of Fish and Game a conservation easement, as shown on Tentative Map 5300 dated January 24, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation.  
**[DPLU, FEE]**

The sole exceptions to this prohibition are:

- (1) Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use or the Director of Public Works.
- (3) Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- d. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, Grant by separate document to the County of San Diego a Limited Building Zone Easement as shown on the Tentative Map 5300 dated January 24, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibits the construction or placement of

any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are: **[DPLU, FEE]**

- (1) Decking, fences, and similar facilities.
  - (2) Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
- e. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, Grant by separate document to the County of San Diego a Steep Slope Open Space Easement as shown on the Tentative Map 5300 dated January 24, 2008 on file with the Department of Planning and Land Use as Environmental Review Number 02-04-054. This easement is for the protection of steep slope lands and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space: **[DPLU, FEE]**

The sole exceptions to this prohibition are:

- (1) Clearing of vegetation to protect existing or proposed structures that are in potential danger from fire, provided that the area of such clearance is the minimum necessary to comply with applicable fire codes or written orders of fire safety officials and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and provided further that the natural landform is not reconfigured.
- (2) Establishment or expansion of an agricultural operation, provided that the establishment or expansion of the operation must be completed in accordance with all applicable federal, state and local regulations (e.g., Clearing and Grading permit from the County of San Diego). The following shall be considered an agricultural operation for purposes of this exception: an operation that includes the cultivation, growing, and harvesting of animals, nursery products and flower crops; fruit and nut crops; livestock and poultry products; vegetable crops; livestock and poultry (including their associated enclosures); field crops; apiary products; timber and firewood; and nonbearing fruit and nut crops.

February 21, 2008

- (3) Activities required to be conducted pursuant to a revegetation, habitat management, or landscaping plan approved by the Director of Planning and Land Use.
  - (4) Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego, in a location and manner approved in writing by the Director of Planning and Land Use of the County of San Diego.
- f. Prior to the approval of any plans, issuance of any permit, and approval of any final map(s), provide evidence to the satisfaction of the Director of Planning and Land that 8.83 acres of Tier II or higher Tier habitat credit has been secured in a mitigation bank approved by the California Department of Fish & Game, located within the Multiple Species Conservation Program (MSCP). Evidence of purchase shall include the following information to be provided by the mitigation bank:
- [DPLU, FEE X2]**
- (1) A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  - (2) If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  - (3) To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  - (4) An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.

**-OR-**

Provide for the conservation and habitat management of a minimum of 8.83 acres of Tier II or higher Tier habitat located within the MSCP in an area designated as PAMA or meeting the definition of a BRCA. A Resource Management Plan (RMP) for the Tier II or higher Tier habitat must be submitted and approved by the Director of the Department of Planning and Land Use. The plan shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Requirement Guidelines. An open space

easement over the acquired habitat must be dedicated to the County of San Diego prior to or immediately following the approval of the RMP. Alternatively, proof that a federal, state or local government agency with the primary mission of resource management has taken fee title to the land will be accepted in lieu of an easement.

- g. Prior to approval of grading and/or improvement plans, and prior to approval of the Final Map, provide evidence to the satisfaction of the Director of Planning and Land Use that the following "Agency Permits" have been obtained:
  - (1) Provide the Director of Planning and Land Use with a copy of a Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands or provide evidence satisfactory to the Director of Planning and Land Use that such permit is not required. **[DPLU, FEE]**
  - (2) Provide the Director of Planning and Land Use with a copy of a Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed or provide evidence satisfactory to the Director of Planning and Land Use that such an agreement is not required. **[DPLU, FEE]**

#### CULTURAL RESOURCES

- a. Prior to the approval of any plans, issuance of any permits, and approval of any final map(s), provide evidence to the satisfaction of the Director of Public Works (DPW) that the following "Specific Environmental Notes" have been indicated on the grading, and or improvement plans:
  - 1. "The County approved archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program. "
  - 2. "The project archaeologist shall monitor all areas identified for development including off-site improvements."
  - 3. "During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite as determined by the Principal Investigator of the excavations. The frequency and location of inspections will be determined by the Principal Investigator in consultation with the Native American monitor. Monitoring

of cutting of previously disturbed deposits will be determined by the Principal Investigator.”

4. “In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The Principal Investigator shall contact the County Archaeologist at the time of discovery. The Principal Investigator, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.”
5. “The consulting archaeologist shall monitor all areas identified for development including off-site improvements.”
6. “If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.”
7. “The Principal Investigator shall submit monthly status reports to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.” **[DPLU, FEE]**
8. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Principal Investigator. **[DPLU, FEE]**



9. "Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report of the Archaeological Monitoring Program. "
10. "In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed."

Or

"In the event that resources are found, a detailed report shall be required that includes the following:

- (a) Department of Parks and Recreation Primary and Archaeological Site forms.
- (b) Evidence that all cultural materials collected during the grading monitoring program has been curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid."

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 150 percent of the estimated costs associated with the preparation of the Final Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, radiocarbon

dating, and curation as determined by the Principal Investigator in consultation with County Staff Archaeologist.

b. Prior to approval of grading and/or improvement plans, the applicant shall:

1. Implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Dotts project, Tentative Map 5300RPL<sup>2</sup> (Log No. 02-14-054) to the satisfaction of the Director of Planning and Land Use (DPLU). This program shall include, but shall not be limited to, the following actions:

(a) Provide evidence that a County approved archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). A letter from the Principal Investigator shall be submitted to the Director of Planning and Land Use. The letter shall include the following guidelines: **[DPLU, FEE]**

- 1) The project archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- 2) The County approved archaeologist/historian and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program as outlined in the County of San Diego Report Format and Content Guidelines (2006).
- 3) The project archaeologist shall monitor all areas identified for development including off-site improvements.
- 4) An adequate number of monitors (archaeological/historical/ Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored.
- 5) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be on-site as determined by the Principal Investigator of the excavations. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by

the Principal Investigator in consultation with the Native American monitor. Monitoring of cutting of previously disturbed deposits will be determined by the Principal Investigator.

- 6) Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- 7) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the Principal Investigator and approved by the County Archaeologist, then carried out using professional archaeological methods.
- 8) If any human bones are discovered, the Principal Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
- 9) Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principal Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- 10) In the event that previously unidentified cultural resources are

- 11) discovered, all cultural material collected during the grading monitoring program shall be processed and curated at a San Diego facility that meets federal standards per 36 CFR Part 79, and therefore would be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
- 12) Monthly status reports shall be submitted to the Director of Planning and Land Use starting from the date of the notice to proceed to termination of implementation of the grading monitoring program. The reports shall briefly summarize all activities during the period and the status of progress on overall plan implementation. Upon completion of the implementation phase, a final report shall be submitted describing the plan compliance procedures and site conditions before and after construction.
- 13) In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.
- 14) In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation

measures, their implementation must be assured to avoid potentially significant environmental effects.

## PLANS AND SPECIFICATIONS

### (Street Improvements)

1. Standard Conditions 1 through 12.
2. Specific Conditions:
  - a. Prior to approval of the Final Map, improve or agree to improve and provide security for the private easement road from Dehesa Road to the north edge of driveway curb opening on Lot 2, to be graded to twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete pavement over approved base with AC dikes at twelve feet (12') from centerline. The improvement and design standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply. All of the foregoing shall be to the satisfaction of the San Diego Rural Fire Protection District and the Director of Public Works.
  - b. Prior to approval of the Final Map, improve or agree to improve and provide security for the private easement road from the north edge of driveway curb opening on Lot 2 to the northwest corner of Lot 3, to be graded to twenty feet (20') wide and improved sixteen feet (16') wide with asphalt concrete pavement over approved base with AC dike. The improvement and design standards of Section 3.1(C) of the County Standards for Private Roads for one hundred (100) or less trips shall apply. All of the foregoing shall be to the satisfaction of the San Diego Rural Fire Protection District and the Director of Public Works.
  - c. The private easement road shall have a cul-de-sac located on Lot 4, graded to a radius of thirty-eight feet (38') and surfaced to a radius of thirty-six feet (36') with asphalt concrete pavement over approved base with AC Dike at thirty-six feet (36') from the radius point. All of the foregoing shall be to the satisfaction of the San Diego Rural Fire Protection District and the Director of Public Works.
  - d. The private easement road shall terminate with a hammerhead turnaround located at Lots 1 and 3, to the satisfaction of the San Diego Rural Fire Protection District and the Director of Public Works.

- e. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing. The above shall be done to the satisfaction of the Director of Public Works.
- f. A registered civil engineer, a registered traffic engineer, or a licensed land surveyor shall provide a certified signed statement that physically, there is a minimum of three hundred twenty feet (320') of unobstructed sight distance looking westerly (downhill) along Dehesa Road and four hundred feet (400') of unobstructed sight looking northerly (uphill) along Dehesa Road from proposed private road, for the prevailing operating speed of traffic on Dehesa Road. The vegetation and embankment currently obstructing sight distance looking uphill shall be removed or cut back. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that said lines of sight fall within the existing right-of-way and a clear space easement is not required. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings will not be adversely affected by this project. These certifications shall be approved to the satisfaction of the Director of Public Works. NOTE: The sight distance looking westerly (downhill) along Dehesa Road shall be based on AASHTO standards for stopping sight distance per approved modification request by DPW.
- g. Where height of fill bank for a 2:1 slope is greater than twelve feet (12'); or where height of fill bank for a 1.5:1 slope is greater than ten feet (10'), guardrail shall be installed per CALTRANS standards to the satisfaction of the Director of Public Works.

(Access/Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
  - a. A Portland cement concrete cross-gutter shall be install at the intersection of Dehesa Road and proposed private road to prevent 100-year design flow from entering the travel way of Dehesa Road to the satisfaction of the Director of Public Works.

- b. The private storm drain system shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity acceptable to the satisfaction of the Director of Public Works.
- c. The 100-year flood line of the natural channels crossing all lots with drainage watersheds of excess of twenty-five (25 acres) shall be clearly delineated on the non-title information sheet of the Final Map.

(Drainage/Grading Plans)

- 5. Standard Conditions 19(a-d);
- 6. Specific Conditions:
  - a. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information on-site concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
  - b. If it is determined that the project includes Category 2 post-construction BMPs, the applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
  - c. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to

the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.

#### FAIR HOUSING

7. Standard Condition 20.

#### SANITATION

8. Standard Condition 22.

#### FIRE PROTECTION AND WATER SUPPLY

9. Standard Conditions 23.2 and 24.

#### PLANNING AND ZONING ADMINISTRATION

10. Specific Conditions:

- a. No lot shall contain a net area of less than 2.0 acres. [DPLU - Regulatory Planning Division]
- b. No lot shall contain a gross area of less than 4.0 acres. [DPLU - Regulatory Planning Division]
- c. The subject property proposes to use groundwater as the potable water source for this project. Pursuant to the County's Groundwater Ordinance, No. 7994 (N.S.), each parcel shall contain a minimum gross area of 8.0 acres, except as approved with an Administrative Permit for lot area averaging.

#### DEVELOPMENT IMPACT FEES

11. Specific Conditions:

Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.

#### FINAL MAP RECORDATION



Final Map requirements shall be shown on the Final Map or otherwise accomplished to the satisfaction of the Director of Public Works prior to submittal for approval by the Board of Supervisors:

(Streets and Dedication)

12. Specific Conditions:

- a. With the Final Map, dedicate or caused to be granted the project half of Dehesa Road along the project frontage in accordance with Public Road Standards for Residential Collector Road with bike lane width of thirty-five feet (35'), together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- b. Contact the Route Locations section of the Department of Public Works to determine the desired location of the centerline of Dehesa Road (SF 1401) which is shown on the Circulation Element of the County General Plan as a Rural Collector Road plus bike lanes. The following shall be shown on the Final Map:
  - (1) The centerline location as approved by the Department of Public Works.
  - (2) Since Dehesa Road (SF 1401) is not required to be constructed to ultimate, the following shall be shown on the Final Map as "nontitle" information:
    - (a) The width of the right-of-way which is forty-seven feet (47') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening." Note that the additional five feet (5') is for a bicycle facility
    - (b) A building line which is seventy-seven feet (77') from the centerline of the road identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."
    - (c) Show the ultimate slopes and drainage facilities on the Final Map. A profile and cross-sections sufficient to verify these limits shall be submitted to the Route Locations section of the Department of Public Works for review and approval.

- c. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a forty-seven foot (47') wide, one-half right-of-way width on each side of the ultimate centerline [minimum centerline radius five hundred feet (500')], plus the right to construct and maintain slopes and drainage improvements as required beyond the ninety-four foot (94') limit for that portion within the land division for Dehesa Road (SF1401), including a twenty-foot (20') radius property line corner rounding at the street intersection.
- d. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- e. Relinquish lot access rights into Dehesa Road except for the project entrance.
- f. Because private roads are approved as a condition of this subdivision, the following shall apply:
  - (1) Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
  - (2) The Director of Public Works shall be notified as to the final disposition of title (ownership) to each private road, and place a note on the Final Map as to the final title status of said roads.
  - (3) Access to each lot shall be provided by private road easements not less than forty feet (40') wide.
- g. The Final Map shall show thirty-eight foot (38') minimum radius private cul-de-sac easements. The cul-de-sac shall be located on Lot 4.
- h. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).

- i. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

(Miscellaneous)

13. Standard Conditions 25, 26, 27, and 28.

#### WAIVER AND EXCEPTIONS

Said subdivision is hereby approved pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public and Private Road Standards, and all other required Ordinances of San Diego County except for a waiver or modification of the:

- a. Standard Conditions for Tentative Maps:
  - (1) Standard Condition 11 is waived. Said condition pertains to condominium units or a planned development. This subdivision is neither a condominium nor a planned development.
  - (2) Standard Condition 21 is waived. Said condition pertains to a public sewer system. This subdivision will rely on private septic systems.
  - (3) Standard Condition 23.1 is waived. Said condition pertains to a public water system. This subdivision will rely on individual private wells.
  - (3) Standard Condition 27.1 is waived. Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

February 21, 2008

b. County Subdivision Ordinance requirements:

- (1) Section 81.403(b)(3): Said section requires improve all land dedicated or to be dedicated for roads or easements laid out on a parcel map. This waiver will delete the installation of road improvements along the project frontage. Requiring them to be placed would be considered a spot improvement in an area that may cause undesirable transitions along the travel lanes.

c. County Public Road Standards:

- (1) Section 6.1.E requires a corner sight distance to be measured in both directions along Dehesa Road from the private easement road (based on actual measured site distance and prevailing traffic speeds). This waiver will permit the sight distance looking down hill along Dehesa Road to be based on AASHTO standards for stopping sight distance.
- (2) Section 6.1.C requires a non-Circulation Element roads entering into a Circulation Element Road shall have their centerline separated by at least 300 feet. This waiver will permit private easement road and existing driveway on the opposite side of Dehesa Road to have the centerlines separation of approximately 30 feet.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

RICHARD GRUNOW, Planning Manager  
Regulatory Planning Division

RG:CS:jcr

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